



2025:KER:30214

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE MURALI PURUSHOTHAMAN

TUESDAY, THE 8TH DAY OF APRIL 2025 / 18TH CHAITHRA, 1947

WP(C) NO. 14551 OF 2025

PETITIONERS:

- 1 VARGHESE O., AGED 66 YEARS
S/O CLARAMMA, THAIVEPPIL, KARUVATTA,
THOTTAPPALLY, ALAPPUZHA, KERALA,
(MEMBER OF THE MANAGING COMMITTEE OF
KANNUKALIPALAM , CO-OPERATIVE MILK SOCIETY LTD.
NO. A115(D) . , PIN - 688561
- 2 PRABHAKARAN, AGED 68 YEARS
C/O PREM KUMAR, KALATHITTA PARAMBIL KARUVATTA
NORTH, ALAPPUZHA, KERALA,
(MEMBER OF THE MANAGING COMMITTEE OF
KANNUKALIPALAM, CO-OPERATIVE MILK SOCIETY LTD.
NO. A115(D) . , PIN - 690517

BY ADVS.
C.S.MANU
DILU JOSEPH
C.A.ANUPAMAN
T.B.SIVAPRASAD
NEETHU.K.SHAJI
C.Y.VIJAY KUMAR
MANJU E.R.
ALINT JOSEPH
PAUL JOSE
DAINY DAVIS
MAHESH KUMAR K.
RILNA RADHAKRISHNAN

RESPONDENTS:



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- 1 STATE OF KERALA
 REPRESENTED BY THE SECRETARY TO THE GOVERNMENT,
 DEPARTMENT OF ANIMAL HUSBANDRY AND DAIRY
 DEVELOPMENT, GOVERNMENT SECRETARIAT,
 THIRUVANANTHAPURAM., PIN - 695001

- 2 THE DEPUTY DIRECTOR
 DAIRY DEVELOPMENT DEPARTMENT,
 ALAPPUZHA,, PIN - 688001

- 3 KANDALLOORPUDUPPAKATH CO-OPERATIVE MILK SOCIETY
 LTD. NO. A115(D)
 KANDALLOORPUDUPPAKATH, THOTTAPPALLY P.O.,
 ALAPPUZHA, REPRESENTED BY ITS SECRETARY- 688561
 R BY SR.GP SMT.RESMI THOMAS

 THIS WRIT PETITION (CIVIL) HAVING COME UP FOR
ADMISSION ON 08.04.2025, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:



JUDGMENT

The petitioners are the elected members of the Managing Committee of the 3rd respondent Society. By Ext.P1, the petitioners have been removed from the membership of the Society. Challenging Ext.P1, the petitioners have preferred Ext.P2 appeal before the 1st respondent under Section 83(1)(c) of the Kerala Co-operative Societies Act, 1969 (for short 'the Act') along with Ext.P3 stay petition. According to the petitioners, Ext.P1 has been passed in total disregard to the principles of natural justice and the provisions of the statute. It is also contended that no reasons whatsoever have been stated for disqualifying the petitioners.



2. Since the petitioners have preferred Ext.P2statutory appeal, there will be a direction to the 1st respondent to consider the same, with notice to the petitioners, as expeditiously as possible, at any rate, within a period of one month from the date of receipt of a copy of this judgment. If, it is not possible for the 1st respondent to dispose of the appeal as above, Ext.P3 application for stay shall be considered within the aforesaid time, in accordance with law.

The writ petition is disposed of.

Sd/-
MURALI PURUSHOTHAMAN
JUDGE

SB



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APPENDIX

PETITIONER EXHIBITS

- Exhibit-P1 TRUE COPY OF THE ORDER NO. DDALP/876/2024-A DATED 01.03.2025 ISSUED BY THE 2ND RESPONDENT ALONG WITH LEGIBLE/TYPED COPY OF EXHIBIT-P1 ORDER.
- Exhibit-P2 TRUE COPY OF THE APPEAL DATED 28.03.2025 SUBMITTED BY THE PETITIONERS BEFORE THE 1ST RESPONDENT, STATE GOVERNMENT.
- Exhibit-P3 TRUE COPY OF THE STAY PETITION DATED 28.03.2025 FILED BY THE PETITIONERS BEFORE THE 1ST RESPONDENT.
- Exhibit-P4 TRUE COPY OF THE URGENT MEMO DATED 28.03.2025 FILED BY THE PETITIONERS BEFORE THE 1ST RESPONDENT.